

**MINUTES OF REGULAR MEETING
OF THE GREENSBORO PLANNING BOARD
SEPTEMBER 21, 2005**

The Greensboro Planning Board met in regular session on Wednesday, September 21, 2005 at 12:35 p.m. in the City Council Chambers, 2nd floor, Melvin Municipal Office Building. Board members present were Chair Patrick Downs, Mike Fox, Stephen Marks, J.P. McIntyre and John Rhodes. Planning staff members present were Dick Hails, Planning Director, Alec MacIntosh, Steve Galanti, Ben Woody and Ricky Hurley. Also present were Dyan Arkin from the Housing and Community Development Department and Carrie Reeves, Greensboro Department of Transportation.

APPROVAL OF MINUTES OF THE AUGUST 17, 2005 REGULAR MEETING.

Mr. Marks moved approval of the minutes as written, seconded by Mr. Rhodes. The Board voted 5-0 in favor of the motion. (Ayes: Downs, Fox, Marks, McIntyre, Rhodes. Nays: None.)

PUBLIC HEARINGS:

A. ORDINANCE AMENDING SECTION 30-4-4.3(F) (4) (d), ARCHITECTURE, OF THE GREENSBORO DEVELOPMENT ORDINANCE TO PERMIT VINYL SIDING ON RESIDENTIAL BUILDINGS IN THE SCENIC CORRIDOR OVERLAY DISTRICT 2. (RECOMMENDED)

Ben Woody, Greensboro Planning Department, explained the purpose of the proposed amendment and its impact on the Scenic Corridor Overlay. He stated that this amendment would allow vinyl siding to be applied to buildings that are adjacent to the Greensboro Urban Loop. Vinyl siding was omitted in the original ordinance and this is an opportunity to add it as an acceptable material for use.

Seth Coker, 4605-G Dundas Drive, stated that he requested this amendment to allow vinyl siding on residential construction for a proposed apartment complex planned for his property at the intersection of Hilltop Road and the proposed Painter Boulevard.

Mr. Fox moved to recommend the amendment to City Council, seconded by Mr. Marks. The Board voted 5-0 in favor of the motion. (Ayes: Downs, Fox, McIntyre, Marks, Rhodes. Nays: None.)

B. RESOLUTION CLOSING SOUTH BOOKER STREET FROM A PROPOSED TURNAROUND NORTHWARD TO ITS TERMINUS AT THE RAILROAD TRACK, A CENTERLINE DISTANCE OF APPROXIMATELY 363 FEET. (RECOMMENDED)

Alec MacIntosh explained that the majority of the abutting property is proposed for use as an apartment complex with a "T" turnaround. There are water and sewer lines in the street, and the City would keep 20-foot easements over those until no longer needed for public service. There are also overheard utility lines, and the City would keep a 15-foot easement over those. The Technical Review Committee (TRC) recommends approval, with such approval to become effective when the three existing apartment buildings on the east side have been removed.

There were no speakers at the public hearing.

Mr. Rhodes moved to recommend the street closing to City Council, seconded by Mr. McIntyre. The Board voted 5-0 in favor of the motion. (Ayes: Downs, Fox, McIntyre, Marks, Rhodes. Nays: None.)

C. RESOLUTION CLOSING RONALD ROAD FROM THE CITY LIMIT LINE WESTWARD TO ITS TERMINUS, A DISTANCE OF APPROXIMATELY 513 FEET. (RECOMMENDED)

Mr. MacIntosh explained that the proposed closing is within a recent satellite annexation. All the buildings that were previously on the surrounding properties have been removed, so no one is currently using the street. A subdivision preliminary plat has been submitted that would extend Ronald Road but would not follow the existing alignment. The TRC recommends approval.

There were no speakers at the public hearing.

Mr. Rhodes moved to recommend the street closing to City Council, seconded by Mr. McIntyre. The Board voted 5-0 in favor of the motion. (Ayes: Downs, Fox, McIntyre, Marks, Rhodes. Nays: None.)

D. AMENDMENT TO EASTSIDE PARK COMMUNITY REVITALIZATION PLAN. (APPROVED)

Dyan Arkin, Community Planner with Greensboro Housing and Community Development explained the proposed amendment to the Eastside Park Redevelopment Plan, adopted in 1993. Preparation of this amendment is in response to an infill development proposal from Habitat for Humanity of Greater Greensboro, which plans to build 20 townhome-style units for sale to very-low-income families. In order to facilitate the project, this amendment changes the identified use of several lots from Single Family Residential to Single Family Attached Residential.

There were no speakers at the public hearing.

Mr. McIntyre moved to approve the amendment, seconded by Mr. Rhodes. The Board voted 5-0 in favor of the motion. (Ayes: Downs, Fox, McIntyre, Marks, Rhodes. Nays: None.)

MINOR MODIFICATION OF ZONING CONDITIONS – CANAAN AT THE NOLES – FOR D. STONE BUILDERS, INC – REQUEST TO PERMIT RESIDENTIAL CONDOMINIUMS INSTEAD OF TOWNHOUSES. (APPROVED)

Mr. MacIntosh stated that this request covers a portion of the former Tannenbaum property. One of the zoning conditions calls for “townhouse-type units designed for sale,” and a second condition states “constructed with brick exterior with maximum of two stories in height.” The preliminary plat proposes to develop condominium units instead of townhouse units, with a brick exterior. The minor modification is requested on the grounds of “equal or better performance”. When zoning conditions are adopted, generally speaking they are adopted with an eye toward impact on surround properties. The TRC has reviewed this request and feels that from the perspective of surrounding properties, the condominium units with brick exterior will be indistinguishable from townhouse units with brick exterior and TRC recommends in favor of this modification.

Mr. Fox moved to approve the minor modification, seconded by Mr. Marks. The Board voted 5-0 in favor of the motion. (Ayes: Downs, Fox, McIntyre, Marks, Rhodes. Nays: None.)

WATERSHED CRITICAL AREA MODIFICATION – BATTLEGROUND NORTH – FOR GRANITE/HORSEPEN, LLC. – REQUEST FOR MODIFICATION TO PERMIT 5 PERCENT INCREASE IN THE TOTAL AMOUNT OF DISTURBED AREA ALLOWED. (APPROVED)

Steve Galanti explained that this item relates to an approximately 99-acre site on the northeast corner of Old Battleground Road and Battleground Avenue. The site is within Tier 3 and Tier 4 of the watershed critical area for the Greensboro watershed. The proposed minor modification would allow the developer to disturb 55.68 acres of the usable area. The usable area is the total site area minus the wetlands, steep slopes and stream buffers. The TRC recommended the modification on the grounds of equal or better performance, having found that the added stormwater treatment measures depicted on the master watershed plan offered performance equal to what would be obtained by a “by the book” plan.

Attorney Henry Isaacson and engineer Michael Fiocco spoke in favor of the proposed modification and explained the proposal in detail. In response to a question from Chair Downs, Mr. Fiocco explained how the on-site travel distance of stormwater from a portion of the site would be increased.

Mr. Rhodes moved to recommend approval of the modification to City Council under the ground for a modification of “equal or better performance”, seconded by Mr. Fox. The Board voted 5-0 in favor of the motion. (Ayes: Downs, Fox, McIntyre, Marks, Rhodes. Nays: None.)

UNIFIED DEVELOPMENT PLANS:

A. BATTLEGROUND NORTH – BATTLEGROUND AVENUE, OLD BATTLEGROUND ROAD, AND MICHAUX ROAD – FOR GRANITE/HORSEPEN, LLC. – 99.32 ACRES. (APPROVED)

Mr. MacIntosh explained that one of the purposes for approval of a Unified Development Plan is to specify permitted uses, amounts of development to be placed in various sections of the plan and dimensional standards that will govern the development of the property. The other main purpose is to place those development standards in a recordable form for the Register of Deeds office to provide notice to future owners and occupants. The UDP also shows proposed sign and landscaping requirements. The plan before the Board calls for the eventual closing of a section of Old Battleground Road; the actual petition for that street closing would come before the Board at a later date. Commercial uses are proposed in the vicinity of Battleground Avenue and Horse Pen Creek Road, with the option of mixed use there featuring upstairs residential use and increasing building height in the event such mixed use comes to pass. Board members expressed support for the mixed use, but several members expressed reservations about the buildings becoming too tall.

Mr. MacIntosh pointed out a shallow piece of land on Battleground Avenue that was part of the annexation and of the CD-PDM zoning but which, as the result of a pre-existing option, is in a different ownership and is not part of the UDP before the Board now.

Michael Fiocco explained the plans for the area and answered questions by the Board related to parking concerns.

Mr. Fox moved to approve the plan, seconded by Mr. Rhodes. The Board voted 4-1 in favor of the motion. (Ayes: Downs, Fox, Marks, Rhodes. Nays: McIntyre.)

B. BELLEMEADE CONDOMINIUMS – NORTH CEDAR STREET, BELLEMEADE STREET, AND NORTH SPRING STREET – FOR KAVANAGH ASSOCIATES – 28 UNITS, 1.1078 ACRES. (APPROVED)

Mr. MacIntosh explained that this proposal is for 28 condominium units for infill on the site. All but four units are in buildings placed fairly near the sidewalk, and parking would be on the interior of the site. Most units would have garages at the rear of the units. The TRC recommended approval of the plan.

Mr. McIntyre moved to approve the proposed plan, seconded by Mr. Marks. The Board voted 5-0 in favor of the motion. (Ayes: Downs, Fox, McIntyre, Marks, Rhodes. Nays: None.)

ANNEXATION PETITIONS:

A. ORDINANCE ANNEXING PROPERTY OF SAPP HEIRS AT 5729 MACKAY ROAD – 30.937 – ACRE SATELLITE ANNEXATION. (RECOMMENDED)

Mr. MacIntosh stated that his proposed annexation is about 600 feet west of the primary city limits. Water, sewer, and streets are stubbed to it so as to allow extensions. The property is proposed for townhouse development. TRC recommends the annexation.

Mr. Fox moved to recommend this annexation to City Council, seconded by Mr. Rhodes. The Board voted 5-0 in favor of the motion. (Ayes: Downs, Fox, McIntyre, Marks, Rhodes. Nays: None.)

2005-2007 RESOLUTION OF CONSIDERATION MAP. (RECOMMENDED)

Mr. MacIntosh stated that this map has the same area shown as did the map adopted two years ago. State law provides municipalities doing city-initiated annexations a choice of (A) adopting at least a year in advance of an annexation vote a resolution of consideration identifying areas eligible for city-initiated annexation, or (B) delaying any city-initiated annexation to be effective no sooner than a year after the Council votes to approve it. Greensboro has followed the (A) choice.

A new resolution of consideration must be adopted within two years of the previous one, meaning that we need a new one adopted by November 18, 2005. The Planning Department recommended approval of the 2005-2007 Resolution of Consideration map.

He noted that the City Council has under review an enlarged Boundary for Water and Sewer Service Extensions, not likely to be adopted by November 18. If that revised boundary is adopted later, it would be appropriate to look at adopting another Resolution of Consideration well in advance of the expiration of the next two-year period.

Mr. Rhodes moved to recommend the Resolution of Consideration to Council, seconded by Mr. Marks. The Planning Board voted 5-0 in favor of the motion. (Ayes: Downs, Fox, McIntyre, Marks, Rhodes. Nays: None.)

EASEMENT RELEASES:

A. RESOLUTION AUTHORIZING RELEASE OF ALL OF A DRAINAGE MAINTENANCE AND UTILITY EASEMENT AROUND THE JEFFERSON VILLAGE POND B AND A 20-FOOT

ACCESS EASEMENT SOUTH OF IT, AS RECORDED IN PLAT BOOK 140, PAGE 12.
(APPROVED)

B. RESOLUTION AUTHORIZING RELEASE OF A 20-FOOT UTILITY EASEMENT ON
SOUTHEAST SIDE OF PROPERTY AT 1707 HOBBS ROAD. (APPROVED)

Mr. McIntyre moved approval of the easement releases, seconded by Mr. Rhodes. The Planning Board voted 5-0 in favor of the motion. (Ayes: Downs, Fox, McIntyre, Marks, Rhodes. Nays: None.)

ITEMS FROM THE DEPARTMENT:

A. DISTRIBUTION OF 2005-2011 CAPITAL IMPROVEMENTS DOCUMENT

Art Davis provided the document recommended and included an update for the Capital Projects Program. The recommendation was for \$200,000 and Council reduced that amount to \$100,000. The projects to receive the funding are included in the information submitted.

B. 2006-2007 NEIGHBORHOOD SMALL PROJECTS PROCESS AND SCHEDULE

Art Davis stated that this document outlines the specific criteria and guidelines for this year. Some improvements have been made based on the Board's recommendations, regarding neighborhood sign requests, park requests and the criteria involved. Sessions have been held for persons to gain more information about the program.

Mr. Hails stated that at last night's meeting, City Council modified the Development Ordinance related to the Comp. Plan and procedures. Council has asked that in the future all Comp. Plan amendments that accompany a rezoning go directly to City Council for consideration and that the rezonings attached to them go through the normal Zoning Commission cycle.

APPROVAL OF ABSENCES:

The absences of Dick Hall, Alan Pike, Julius Koonce and Tim Bryson were approved.

There being no further business before the Board, the meeting was adjourned at 1:37 p.m.

Respectfully submitted,

Richard W. Hails, AICP
Planning Director

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